

TURKMENISTAN



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Key Findings

In 2015, in a climate of pervasive government information control, particularly severe religious freedom violations persisted in Turkmenistan. The government requires religious groups to register under intrusive criteria, strictly controls registered groups' activities, and bans and punishes religious activities by unregistered groups. Police raids and harassment of registered and unregistered religious groups continued. The penalties for most "illegal" religious activities were increased in 2014. Turkmen law does not allow a civilian alternative to military service, and at least one Jehovah's Witness conscientious objector is known to be detained. In light of these severe violations, USCIRF again recommends in 2016 that the U.S. government designate Turkmenistan as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA). In July 2014, the State Department designated Turkmenistan a CPC for the first time. USCIRF has recommended CPC designation for Turkmenistan since 2000.

Background

Turkmenistan has an estimated total population of 5.1 million. The Turkmen government does not track religious affiliation; the U.S. government estimates that the country is about 85 percent Sunni Muslim, and nine percent Russian Orthodox. Other smaller religious groups include Jehovah's Witnesses, Jews, and Evangelical Christians. The Russian Orthodox community is mostly ethnic Russians and Armenians. The small Shi'a Muslim community is mostly ethnic Iranians, Azeris, or Kurds on the Iranian border or along the Caspian Sea. The country's Jewish community numbers around 400.

Turkmenistan is the most closed country in the former Soviet Union. The country's first president, Saparmurat Niyazov, who died in late 2006, oversaw one of the world's most repressive and isolated states. Turkmenistan's public life was dominated by Niyazov's

quasi-religious personality cult set out in his book, the *Ruhnama*, which was imposed on the country's religious and educational systems. After assuming the presidency in early 2007, President Gurbanguly Berdimuhamedov ordered the release of 11 political prisoners, including the former chief mufti; placed certain limits on Niyazov's personality cult; set up two new official human rights commissions; and registered 13 minority religious groups. He eased police controls on internal travel and allowed Turkmenistan to become slightly more open to the outside world. Since then, however, President Berdimuhamedov has not reformed oppressive laws, maintains a state structure of repressive control, and has reinstated a pervasive presidential personality cult.

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A 2014 Internet law makes it illegal for citizens to insult or slander the president in web postings. While the law states there are plans to ensure free Internet access in Turkmenistan, in 2015 the government reportedly engaged in a campaign to dismantle private satellite cables. In March 2015, a new demonstrations law enacted potentially allows for limited public rallies, including by registered religious organizations, but they must take place at least 200 meters from government buildings and cannot be funded by individuals or foreign governments, RFE/RL reported.

In 2015, the Taliban reportedly killed Turkmen guards on the Turkmen-Afghan border. The adjacent region of northern Afghanistan is home to some 250,000 Turkmen, some of whom allegedly sympathize with Islamist extremist groups, giving rise to concern

about religious radicalism spreading into Turkmenistan. In early 2016, President Berdimuhamedov reportedly told the parliament that Turkmenistan's laws on religion should be modified in light of terrorism and increased inter-ethnic and interreligious conflicts, and ordered the constitutional commission to submit proposals for consideration.

Religious Freedom Conditions 2015–2016

Government Control over Religious Activities

Turkmenistan's constitution purports to guarantee religious freedom, the separation of religion from the state, and equality regardless of religion or belief. The 2003 religion law, however, contradicts these provisions. Despite minor reforms in 2007, this law sets intrusive registration criteria and bans any activity by unregistered religious organizations; requires that the government be informed of all foreign financial support; forbids worship in private homes; allows only clerics to wear religious garb in public; and bans private religious education.

The government-appointed Council on Religious Affairs (CRA) supervises religious matters; it controls the hiring, promoting, and firing of Sunni Muslim and Russian Orthodox clergy; censors religious texts; and oversees the activities of all registered groups. CRA members include only government officials and Sunni Muslim and Russian Orthodox Church representatives.

The secret police, anti-terrorist police units, local government, and local CRA officials continue to raid registered and unregistered religious communities. It is illegal for unregistered groups to rent, purchase, or build places of worship, and even registered groups must obtain scarce government permits.

Government Interference in Internal Religious Affairs

The Turkmen government interferes in the internal leadership and organizational arrangements of religious communities. In early 2013, the President named a new Grand Mufti. Under an official policy, the government has replaced imams who had formal Islamic theological training from abroad with individuals lacking such education. The government appoints all senior officials of Turkmenistan's Muslim administration, who also function as CRA officials and thereby oversee the activities of other religious communities. Local secret

police officers reportedly require Muslim and Orthodox clerics to report regularly on their congregations.

Registration of Religious Groups

Since 2005, some small religious groups have been registered, such as Baha'is, several Pentecostal groups, Seventh-Day Adventists, several Evangelical churches, and the Society for Krishna Consciousness. In 2010, Turkmenistan told the UN Human Rights Committee there were 123 registered religious groups, 100 of which are Sunni and Shi'a Muslim and 13 Russian Orthodox. Some communities have decided not to register due to the onerous and opaque process, while certain Shi'a Muslim groups, the Armenian Apostolic Church, some Protestant groups, and the Jehovah's Witnesses have faced rejection of numerous registration applications.

State Control of Religious Literature

A decree has banned publication of religious texts inside Turkmenistan and only registered groups can legally import religious literature under tight state censorship. The CRA must stamp approved religious texts and literature; documents without such a stamp may be confiscated and individuals punished.

State Restrictions on Foreign Travel

The government continues to deny international travel for many citizens, especially those travelling to religious events. The approximately 110,000 individuals with dual Russian-Turkmen citizenship, who mainly are Russian Orthodox, usually can meet coreligionists abroad as well as undertake clerical training. Muslims, however, are not allowed to travel abroad for religious education. In 2014 – the latest year for which statistics were available – the government allowed 650 Turkmen Muslims to make

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the pilgrimage to Mecca; this was an increase over the usual 188, but is still less than a seventh of the country's quota. According to Forum 18, Muslims often must wait up to 11 years to reach the top of the *hajj* waiting list.

Punishments for Religious Activities

The government continues to impose harsh penalties, such as imprisonment, involuntary drug treatment, and fines, for religious and human rights activities. In January 2014, new administrative code provisions raised the penalties for most “illegal” religious activities. In recent years, Muslims, Protestants, and Jehovah’s Witnesses have been detained, fined, imprisoned or internally exiled for their religious beliefs or activities. Most religious prisoners of conscience are held at Seydi Labor Camp in the Lebap Region desert, where they face very harsh conditions, including torture and frequent solitary confinement. The government of Turkmenistan denies the International Committee of the Red Cross access to the country’s prisons.

An unknown number of Muslim prisoners of conscience remain jailed. In February 2015, five prisoners convicted of “Wahhabism” were sent to Seydi Labor Camp, where prison guards reportedly beat them so brutally that one man had his hand broken; it could not be determined if the five men were jailed for non-violent religious practice or for actual crimes, since in Central Asia the term “Wahhabi” is often used to describe any devout Muslim.

Reports have faded of a dissident imam who spent years in a psychiatric hospital; this news drought also applies to dozens of other political and religious prisoners, according to the NGO coalition known as “Prove they are Alive.” On a positive note, Protestant Umid Gojayev, imprisoned at Seydi Labor Camp for “hooliganism,” was freed under amnesty in February 2015.

objector Soyunmurat Korov has been in the Seydi Labor camp since November 2014; a year later, he still had not stood trial. In February 2015, Jehovah’s Witness conscientious objector Ruslan Narkuliyev was released.

Treatment of Religious Minorities

According to Forum 18, after hosting a religious meeting, Jehovah’s Witness Bahram Hemdemov received a four-year prison term in May 2015 on false charges of inciting religious enmity in the city of Turkmenabad. His son Serdar also was jailed for two 15-day terms, and both men were beaten. Since February 2015, 14 Jehovah’s Witnesses have been detained; one was still held as of May 2015, and about 30 others were fined, especially those who insisted on their legal rights or appealed to the UN. School officials have fired Protestant teachers and publicly bullied Protestant families and pressured them to sign statements denying their faith. Turkmen officials have cancelled summer camps for Protestant children.

U.S. Policy

For the past decade, U.S. policy in Central Asia was dominated by the Afghan war. The United States has key security and economic interests in Turkmenistan due to its proximity to and shared populations with Afghanistan and Iran, and its huge natural gas supplies. Despite its official neutral status, Turkmenistan has allowed the Northern Distribution Network to deliver supplies to U.S. and international troops in Afghanistan as well as the refueling of U.S. flights with non-lethal

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Conscientious Objectors

Turkmen law has no civilian alternative to military service for conscientious objectors. Reportedly, such a bill was drafted in 2013 but not enacted. Those who refuse to serve in the military can face up to two years of jail. Until 2009, the Turkmen government had given suspended sentences, but since then conscientious objectors have been imprisoned. Jehovah’s Witness conscientious

supplies at the Ashgabat International Airport. During counterterrorism operations, U.S. Special Operations Forces reportedly have been allowed to enter Turkmenistan on a “case-by-case” basis with the Turkmen government’s permission.

Initiated five years ago by the State Department, the Annual Bilateral Consultations (ABC’s) are a regular mechanism for the United States and Turkmenistan

to discuss a wide range of bilateral issues, including regional security, economic and trade relations, social and cultural ties, and human rights. The fourth ABC session was held in Washington in October 2015, and some concerns about Turkmenistan's religious freedom record were discussed.

In November 2015, Secretary of State John Kerry visited Turkmenistan and met with President Berdimuhamedov. In advance of the meeting, Secretary Kerry said he anticipated "a good conversation" on "human dimension issues." The regional trip was preceded by a joint declaration by the United States and the five Central Asian states, referred to as the "C5+1." That declaration includes a pledge to "protect human rights, develop democratic institutions and practices, and strengthen civil society through respect for recognized norms and principles of international law."

The United States funds programs in Turkmenistan that support civil society organizations, training on legal assistance, Internet access and computer training, capacity building for civil servants, and exchange programs. In recent years, however, the Turkmen government has barred many students from participating in U.S.-funded exchange programs and in 2013 it ordered the Peace Corps to stop its 20-year operations in the country. As part of its worldwide, decade-long American Corners program, the U.S. government continues to support three American Corners that provide free educational materials and English language opportunities in Dashoguz, Mary, and Turkmenabat. For 15 years, Turkmenistan has led the world in U.S. government funding for cultural preservation projects.

religious literature." In September 2014, a waiver of a Presidential action was tied to the designation.

Recommendations

The CPC designation positions the U.S. government to negotiate specific commitments to improve religious freedom while setting a pathway of needed reforms to eventually remove Turkmenistan from the list. In addition to recommending that the U.S. government continue to designate Turkmenistan as a CPC, USCIRF recommends that the U.S. government should:

- Negotiate a binding agreement with the government of Turkmenistan, under section 405(c) of IRFA, to achieve specific and meaningful reforms, with benchmarks that include major legal reform, an end to police raids, prisoner releases, and greater access to foreign coreligionists; should an agreement not be reached, the waiver of presidential actions should be lifted;
- Ensure that the U.S. Embassy, including at the ambassadorial level, maintains active contacts with human rights activists;
- Press the Turkmen government to release all prisoners of conscience and to treat prisoners humanely and allow them access to family, human rights monitors, adequate medical care, and lawyers;
- Raise concerns about Turkmenistan's record on religious freedom and related human rights in bilateral meetings, such as the ABCs, as well as appropriate international fora, including the UN

In September 2014, a waiver of a Presidential action was tied to the [CPC designation of Turkmenistan].

When the State Department announced its designation of Turkmenistan as a "country of particular concern" in July 2014, it cited "concerns about the detention and imprisonment of religious minorities, the rights of religious groups to register, the lack of public access to registration procedures, and restrictions on importing

and Organization for Security and Cooperation in Europe (OSCE);

- Encourage the UN Regional Centre for Preventive Diplomacy for Central Asia (UNRCCA), which is based in Ashgabat, to enhance the human rights aspect of its work;

- Urge the Turkmen government to agree to another visit by the UN Special Rapporteur on Freedom of Religion or Belief, as well as visits from the Rapporteurs on Independence of the Judiciary and on Torture, set specific visit dates, and provide the full and necessary conditions for their visits;
- Encourage the Broadcasting Board of Governors to increase radio broadcasts and Internet programs to Turkmenistan on religious freedom, including the informative new Islam and Democracy website, as well as information on human rights and basic education, to help overcome decades of isolation; and
- Continue to press the Turkmen government to resume the U.S. Peace Corps program.